

RCE/2700  
AV

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American inventors Protection Act of 1999 (AIPA).

|                               |                               |                   |
|-------------------------------|-------------------------------|-------------------|
| <i>#11/5-1064<br/>us song</i> | <b>Application Number</b>     | 09/765,680        |
|                               | <b>Filing Date</b>            | January 18, 2001  |
|                               | <b>First Named Inventor</b>   | Juan R. Loaiza    |
|                               | <b>Group Art Unit</b>         | 2133              |
|                               | <b>Examiner Name</b>          | Matthew C. Dooley |
|                               | <b>Attorney Docket Number</b> | 50277-1633        |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**RECEIVED**

**1. Submission required under 37 C.F.R. § 1.114**

APR 22 2004

- a.  Previously submitted
    - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed **Technology Center 2100**. (Any unentered amendment(s) referred to above will be entered).
    - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
    - iii.  Other \_\_\_\_\_.
  - b.  Enclosed
    - i.  Amendment/Reply
    - ii.  Affidavit(s)/Declaration(s)
    - iii.  Information Disclosure Statement (IDS)
    - iv.  Other \_\_\_\_\_.
- 04/21/2004 MAHMED1 00000015 09765680  
01 FC:1801 770.00 OP

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR. § 1.17(i) required)
- b.  Other \_\_\_\_\_.

**3. Fees** The RCE fee under 37C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1302.
  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other Additional Claim Fees.
- b.  Check in the amount of \$892.00 enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                          |                                   |                |
|-------------------|--------------------------|-----------------------------------|----------------|
| Name (Print/Type) | <u>Edward M. Belcher</u> | Registration No. (Attorney/Agent) | 37,777         |
| Signature         | <u>Belcher</u>           | Date                              | April 15, 2004 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |                        |      |                |
|-------------------|------------------------|------|----------------|
| Name (Print/Type) | <u>Angelica Jaquez</u> | Date | April 15, 2004 |
| Signature         | <u>Angelica Jaquez</u> |      |                |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL  
for FY 2004**

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$ 892.00)

**Complete if Known**

|                      |                      |
|----------------------|----------------------|
| Application Number   | 09/765,680           |
| Filing Date          | January 18, 2001     |
| First Named Inventor | Juan R. Loaiza       |
| Examiner Name        | Matthew C. Dooley    |
| Group/Art Unit       | 2133                 |
|                      | APR 22 2004          |
| Attorney Docket No.  | 50277-1633           |
|                      | Technology Center 21 |

**RECEIVED****METHOD OF PAYMENT** (check one)

1.  Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number

50-1302

Deposit Account Name

Hickman Palermo Truong &amp; Becker, LLP

2.  Payment Enclosed:

Check  Money Order  Other

3.  Applicant(s) is entitled to small entity status.  
See 37 CFR 1.27.

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$)                       | Fee Description | Fee Paid  |
|----------------------------|--|-----------------|---|
| 1051                       | 130  | 2051            | 65 Surcharge – late filing fee or oath  |
| 1052                       | 50   | 2052            | 25 Surcharge – late provisional filing fee or cover sheet.                    |
| 1053                       | 130  | 1053            | 130 Non-English specification   |
| 1812                       | 2,520  | 1812            | 2,520 For filing a request for reexamination                                  |
| 1804                       | 920*   | 1804            | 920* Requesting publication of SIR prior to Examiner action                   |
| 1805                       | 1,840*   | 1805            | 1,840* Requesting publication of SIR after Examiner action                    |
| 1251                       | 110  | 2251            | 55 Extension for reply within first month                                     |
| 1252                       | 420  | 2252            | 210 Extension for reply within second month                                   |
| 1253                       | 950  | 2253            | 475 Extension for reply within third month                                    |
| 1254                       | 1,480  | 2254            | 740 Extension for reply within fourth month                                   |
| 1255                       | 2010   | 2255            | 1005 Extension for reply within fifth month                                   |
| 1401                       | 330  | 2401            | 165 Notice of Appeal  |
| 1402                       | 330  | 2402            | 165 Filing a brief in support of an appeal                                    |
| 1403                       | 290  | 2403            | 145 Request for oral hearing  |
| 1451                       | 1,510  | 1451            | 1,510 Petition to institute a public use proceeding                           |
| 1452                       | 110  | 2452            | 55 Petition to revive – unavoidable   |
| 1453                       | 1330   | 2453            | 665 Petition to revive – unintentional  |
| 1501                       | 1330   | 2501            | 665 Utility issue fee (or reissue)  |
| 1502                       | 480  | 2502            | 240 Design issue fee  |
| 1503                       | 640  | 2503            | 320 Plant issue fee   |
| 1460                       | 130  | 1460            | 130 Petitions to the Commissioner   |
| 1807                       | 50   | 1807            | 50 Petitions related to provisional applications                              |
| 1806                       | 180  | 1806            | 180 Submission of Information Disclosure Stmt                                 |
| 8021                       | 40   | 8021            | 40 Recording each patent assignment per property (times number of properties) |
| 1809                       | 770  | 2809            | 385 Filing a submission after final rejection (37 CFR § 1.129(a))             |
| 1810                       | 770  | 2810            | 385 For each additional invention to be examined (37 CFR § 1.129(b))          |
| Other fee (specify)        | Request For Continued Examination (RCE) \$770.00 |                 |   |
| Other fee (specify)        |  |                 |   |

SUBTOTAL (2) (\$ 122.00)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 770.00)

**SUBMITTED BY**

|                   |   |                                   |        |           |                      |
|-------------------|---|-----------------------------------|--------|-----------|----------------------|
| Name (Print/Type) | Edward A. Becker  | Registration No. (Attorney/Agent) | 37,777 | Telephone | (408) 414-1080 x 204 |
| Signature         |  |                                   |        | Date      | April 15, 2004       |

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